

IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF PUERTO RICO

IN RE: MIGUEL ANGEL MENDEZ CORDOVA

Bkrtcy. No. 11-05360-BKT

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Jun 26, 2011</u>	Meeting Date: <u>Sep 16, 2011</u>	DC Track No. <u>15</u>
Days from petition date: <u>82</u>	Meeting Time: <u>1:00 PM</u>	
910 Days before Petition: <u>12/28/2008</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Jun 26, 2011</u> Dkt.# <u>2</u>	<input type="checkbox"/> Amended.
This is debtor(s) <u>2nd</u> Bankruptcy petition. <u>(1st was 2000)</u>	Plan Base: <u>\$79,480.00</u>	
This is the <u>2nd</u> Scheduled Meeting	Confirmation Hearing Date: <u>Oct 21, 2011</u>	Time: <u>2:30 PM</u>
<input checked="" type="checkbox"/> Payment(s) <input type="checkbox"/> Received or <input checked="" type="checkbox"/> Evidence shown at meeting:	CK/MO No. <u>18923391292</u> Date <u>9/16/2011</u> Amount <u>\$408.00</u>	Total Paid In: <u>\$408.00</u>

I. Appearances: <input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference		<input type="checkbox"/> Creditor(s) present: <input checked="" type="checkbox"/> None.
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Debtor Absent
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Joint Debtor Absent
Debtor(s) was/were <input type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath.		
Attorney for Debtor(s) <input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present		
<input type="checkbox"/> Substitute attorney:	<input type="checkbox"/> Pro-se.	

II. Attorneys Fees as per R 2016(b) Statement Attorney of record: <u>JUAN O CALDERON LITHGOW*</u>	
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$400.00</u> Outstanding: <u>\$2,600.00</u> <small>THROUGH THE PLAN</small>

III. Trustee's will file Motion to Dismiss: <input type="checkbox"/> For Failure to appear; <input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting	
Debtor(s) Income is (are) <input type="checkbox"/> Under <input checked="" type="checkbox"/> Above Median Income.	Liquidation Value: <u>7B3</u>
Commitment Period is <input type="checkbox"/> 36 <input checked="" type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool:
The Trustee <input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS Plan confirmation.	
§341 Meeting <input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input checked="" type="checkbox"/> CLOSED <input type="checkbox"/> HELD OPEN FOR ___ DAYS	
§341 Meeting Rescheduled for:	

V. Trustee's OBJECTIONS to Confirmation:	
<input checked="" type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input type="checkbox"/> INSUFFICIENTLY FUNDED <input type="checkbox"/> To pay §507 <input type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input checked="" type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Failure to comply with Tax returns requirements. [§1308]
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3) <input type="checkbox"/> Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS:

1) Debtor did not include salary deductions in Schedule I and therefore, his income is less than that inferred. Schedule I must be amended accordingly.

2) Debtor must submit May 27, 2011 pay stubs.

3) Debtor is not current with mortgage payments.

/s/ José R. Carrión
Trustee

[Signature]
Presiding Officer

ADDITIONAL OBJECTIONS / COMMENTS:

- Debtor must submit evidence of being current with mortgage payments prior to plan confirmation.
- 4) Utilities and transportation expenses are above IRS standards. Schedule J must be amended accordingly.
- 5) Debtor must submit comparables or evidence of value assigned to property listed in Schedule A of the bankruptcy petition.
- 6) Debtor must amend Schedule B to include hereditary property in Bo. Admirante Norte, Vega Baya. Father is deceased, mother lives. There are four siblings. Property is 3 bed/1 bath, concrete. Debtor must submit evidence of value assigned to such property. He believes the same is worth about \$75,000.00 - \$90,000.00.
- 7) Feasibility - Debtor wants to make a lump sum payment of \$55,000.00 through the sale or refinancing of property. Per schedule, property has no equity. Lump sum is not possible.